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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 12-mj-70126 MAG
	)	
Plaintiff,	)	
	)	
v.	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER CHANGING HEARING DATE</b>
MONIQUE BURNS,	)	<b>AND EXTENDING TIME LIMITS</b>
	)	
Defendant.	)	
_____	)	

On April 10, 2012, the Court set the date for a preliminary hearing / arraignment for May 11, 2012. Pursuant to Rule 5.1(d), the defendant consented to this extension of time, and the parties represented that good cause exists for this extension, including the effective preparation of counsel. The Court therefore extended the time limits provided by Federal Rule of Criminal Procedure 5.1(c) and excluded this period from any calculation under 18 U.S.C. § 3161.

The parties hereby stipulate to move the May 4, 2012 preliminary hearing / arraignment to June 7, 2012, and further request to extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c). Pursuant to Rule 5.1(d), the defendant consents to this extension of

time, and the parties represent that good cause exists for this extension, including the effective preparation of counsel. The parties also request that the Court to exclude this period of time from any time limits applicable under Title 18, United States Code, Section 3161. The parties represent that granting the continuance provides reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

MELINDA HAAG  
United States Attorney

DATED: May 8, 2012

/s/  
KEVIN J. BARRY  
Assistant United States Attorney

DATED: May 8, 2012

/s/  
CAMELLIA BARAY  
Attorney for MONIQUE BURNS

[PROPOSED] ORDER

For the reasons stated above, the Court moves the May 11, 2012 hearing date to June 7, 2012. The Court finds that the extension of time limits applicable under Federal Rule of Criminal Procedure 5.1(c) from May 11, 2012 through June 7, 2012 is warranted and that the ends of justice served by the continuance under Rule 5.1 outweigh the interests of the public and the defendant in the prompt disposition of this criminal case. The Court also finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 for this period is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable

1 time necessary for effective preparation, taking into account the exercise of due diligence, and  
2 would affect continuity of counsel, resulting in a miscarriage of justice. 18 U.S.C. §  
3 3161(h)(7)(B)(iv).

4 IT IS SO ORDERED.

5  
6 DATED: 5/8/12

